

From: [Santoro, Christopher A \(EOIR\)](#)
To: [All of OCIJ HDQ and Courts \(EOIR\)](#)
Subject: Pereira v. Sessions (TBD NTAs) - updated guidance
Date: Wednesday, July 11, 2018 12:45:23 PM
Importance: High

All,

The Department has concluded that, even after *Pereira*, EOIR should accept Notices to Appear that do not contain the time and place of the hearing. Accordingly, effective immediately, courts should begin accepting TBD NTAs.

[The message above supersedes the guidance below.](#)

Christopher A. Santoro
Deputy Chief Immigration Judge

From: Wilson, Donna L. (EOIR)
Sent: Wednesday, June 27, 2018 1:48 PM
To: Keller, Mary Beth (EOIR) <MaryBeth.Keller@EOIR.USDOJ.GOV>; Rosen, Scott (EOIR) <Scott.Rosen@EOIR.USDOJ.GOV>; Santoro, Christopher A (EOIR) <Christopher.Santoro@EOIR.USDOJ.GOV>; All of Court Administrators (EOIR) <All_of_Court_Administrators@EOIR.USDOJ.GOV>; All of Judges (EOIR) <All_of_Judges@EOIR.USDOJ.GOV>; Pasierb, Mark (EOIR) <Mark.Pasierb@EOIR.USDOJ.GOV>; Ortiz-Ang, Susana (EOIR) <Susana.Ortiz-Ang@EOIR.USDOJ.GOV>; Manna, Karen (EOIR) <Karen.Manna@EOIR.USDOJ.GOV>; Kuschel, Mark (EOIR) <Mark.Kuschel@EOIR.USDOJ.GOV>
Subject: Pereira v. Sessions - Guidance (on behalf of CIJ Keller)

Judges and Court Administrators:

The purpose of this email is to provide guidance on the processing of NTAs following the Supreme Court's decision in *Pereira v. Sessions*, 585 U.S. ____ (2018).

- **NTAs.** Effective immediately, NTAs filed at the window that do not specify the time and place of the hearing should be rejected.
- **Non-detained Cases.** We anticipate that beginning Monday, July 2, 2018, the Interactive Scheduling System (ISS) will be available for the Department of Homeland Security to schedule hearings in non-detained cases.
- **Detained Cases.** We anticipate that beginning Monday, July 16, 2018, ISS will be available for DHS to schedule hearings in detained cases.
- **Pending Cases.** For pending cases, Immigration Judges should continue to address issues raised by the parties regarding the NTA on a case-by-case basis in accordance

with controlling case law, statutes, and regulations.

Court Administrators are reminded that a conference call with Deputy Chief Immigration Judge Christopher Santoro is scheduled for 2:30 EDT this afternoon to provide further guidance regarding the processing of NTAs.

If you have any questions, please contact your Assistant Chief Immigration Judge.

MaryBeth Keller

Chief Immigration Judge

U. S. Department of Justice

Executive Office for Immigration Review

Mary.Beth.Keller@usdoj.gov

703-305-1247